

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

VICTOR MANUEL SAUCEDO,

Defendant.

CR-00-79-GF-BMM-01

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on September 19, 2016. (Doc. 113.) Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 149-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on September 13, 2016. (Doc. 108.) Saucedo admitted that he violated the conditions of his supervised release. The violations prove serious and warrant revocation of Saucedo's

supervised release. Judge Johnston has recommended that the Court revoke Saucedo's supervised release and commit Saucedo to the custody of the Bureau of Prisons for 12 months. (Doc. 113 at 6.) Judge Johnston further has recommended that Saucedo have no supervised release after he is released from custody. *Id.*

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Saucedo's violations of his conditions represent a serious breach of the Court's trust. A sentence of 12 months custody followed by no supervised release represents a sufficient, but not greater than necessary, sentence.

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 113) is ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendant Victor Manuel Saucedo be sentenced to 12 months custody followed by no supervised release.

DATED this 4th day of October, 2016.



Brian Morris
United States District Court Judge